

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
\$14,270.00 U.S. CURRENCY,  
  
Defendant.

NO. CV-10-150-EFS

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR ENTRY OF FINAL  
ORDER OF FORFEITURE**

Before the Court, without oral argument, is Plaintiff's Motion for Entry of Final Order of Forfeiture. (ECF No. [7](#).) After reviewing the submitted material and relevant authority, the Court is fully informed and grants Plaintiff's motion.

On September 25, 2008, the United States and Michael Bernard entered into a plea agreement in the related criminal matter, *United States v. Michael Bernard, et al.*, Eastern District of Washington criminal case number CR-08-091-RHW. (CR-08-091-RHW, ECF No. [36](#).) In that Plea Agreement, Mr. Bernard 1) acknowledged that the Defendant \$14,270.00 U.S. currency is subject to forfeiture as drug-related property, 2) warranted that he is the sole owner of the Defendant currency and that no one else

1 has an interest in it, 3) agreed to forfeit the Defendant currency and  
2 not to contest any civil judicial proceedings in connection with the  
3 forfeiture, and 4) waived further notice of any such proceedings.

4 On September 24, 2010, the Notice of Complaint was posted on the  
5 official government website, [www.forfeiture.gov](http://www.forfeiture.gov), as required by  
6 Supplemental Rule for Admiralty or Maritime Claims and Asset Forfeiture  
7 Actions G(4)(a)(iv)(C) of the Federal Rules of Civil Procedure. (ECF No.  
8 [6](#).) Under Supplemental Rule G(5)(a)(ii)(B) and 18 U.S.C. § 983(a)(4)(A),  
9 claimants must file a claim within sixty (60) days after the first date  
10 of publication or within thirty (30) days after service of the complaint,  
11 whichever occurs first. These dates having passed without any claim  
12 filed and Mr. Bernard's interest in the Defendant currency having been  
13 resolved through the Plea Agreement, the Court finds the Defendant  
14 currency is forfeited to the United States of America.  
15

16 Accordingly, **IT IS HEREBY ORDERED:**

17 1. Plaintiff's Motion for Entry of Final Order of Forfeiture (**ECF**  
18 **No. [7](#)**) is **GRANTED**.

19 2. The \$14,270.00 U.S. Currency seized by the FBI from Michael  
20 Bernard on or about July 16, 2008, in Spokane, Washington, is hereby  
21 forfeited to the United States of America, and no right, title, or  
22 interest shall exist in any other person.  
23

24 3. The United States shall dispose of the above-described forfeited  
25 Defendant currency in accordance with law.  
26

S/ Edward F. Shea  
EDWARD F. SHEA  
United States District Judge

ORDER  $\sim 3$